HONOURABLE SRI JUSTICE C.V.RAMULU

WRIT PETITION No.27265 OF 1997

Dated 28th February, 2007

Between:

Chidirala Nagaratnam, wife of late Narasimharao, aged 32 years, working as Helper, A.P.S.W.R. School, Kuntamukkala, Krishna District.

.Petitioner.

And:

1. The Secretary, A.P. Social Welfare Residential Educational Institutions Society, Masab Tank, Hyderabad and another.

…Respondents.

ORDER:

This writ petition is filed seeking Mandamus directing the respondents to regularize the service of the petitioner in the post of helper with all consequential benefits.

According to the petitioner, she is working as helper in the 2nd respondent school being run by the 1st respondent. Initially, she was appointed in the year 1986 and since then, she has been continuously working without any blemish and is working even as of now.

According to her, on an earlier occasion, similarly situated employees of the 1st respondent filed the writ petition No.9824 of 1991 and batch seeking regularization of their services and this Court by its order dated 20-11-1992 allowed the batch of writ petitions with a direction to regularize the services of the employees with effect from 7-6-1989 and thereafter, the matter was carried in appeal being WA.No.678 of 1993 and batch. The said writ appeals were disposed of on 10-10-1994 with a direction to regularize the services of the

employees in consonance with the terms of G.O.Ms.No.212 dated 22-4-1994. Since the petitioner could not join earlier in the above batch of writ petitions seeking regularization of their services, she filed W.P.18444 of 1993 and obtained directions to the respondents to regularize her services. However, her services have not been regularized till today. Therefore, she has filed the present writ petition.

While admitting the wit petition on 27-10-1997, this Court directed the respondents to pay equal salary on par with regular employees, pending further orders. The petitioner is still continuing as of now.

A detailed counter-affidavit has been filed by the 1st respondent. It is asserted that the petitioner was engaged on the basis of daily wages and her case was also examined for consideration for regularization of her services in terms of G.O. Ms.No.212 dated 22-4-1994. But it was revealed that she was not having minimum required qualification of 5th Class as per the recruitment regulations. Therefore, her services were not regularized.

In view of the fact that the petitioner has been working in the cadre of Sweeper/helper since 20 years, the respondents may consider the case of the petitioner for regularization of her services by relaxing the educational qualifications, if any, required for the post held by her (Sweeper or helper). In case the regularization of the petitioner has not already been considered by now, her services shall not be disturbed till her case is considered for regularization.

With the above observation, the writ petition is accordingly disposed of. No order as to costs.

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Justice C.VRAMULU

Dated 28-2-2007.

Dvs

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